Dear Jim, Congressional "assassination investigations" 3/12/75

After writing you last night and before going to sleep I took a few minutes to think about what I had not before and think perhaps you have not. As I understood it Bud recommended you to be part of an investi= gation of assassination investigations rather than in the broader committee responsibility, to investigate the spook and investigative agencies.

You then asked me about some others, I recommended against one and reminded you of another and I recall I did have a question but did not argue or press it.

I do think that investigative experience is valuable, so do not understand me to be arguing against that. Under normal circumstances I would encourage on that basis alone, the value of the experience, parti- cularly to a lawyer needing experience.

But for a few moments before sleep I asked myself what kind of investigation of what kinds of assassinations?

Bud's concept of all the right=wingers hold a Dealey Plaza convention to which all the revanchist ethnics were invited?

Of "Hunt" and "Sturgis" formerly "Frenchy" and "Skinny Ralph" and others?

I know of no solid basis for alleging that any of the federal agencies had any Dealey Plaza involvement. Suspicions there may be but fact there is not. I have for years, as best I could, been working on the one solid lead of which I know, framing Oswald who probably had a federal connection. This indicates at least knowledge of his connection.

What I am saying is that this is the nut-inspired whitewash area of any such investigations. If the facts are that there were official domestic assassinations these facts will not be available. Should they ever be available it does not seem reasonable that they will come from investigations or from records which I assume will not exist but from confessions. Who will confess? Who wants a murder rap, to be forever con= sidered so villainous? How many assassins would still be alive to confess if they could involve others?

I think there has been so much of this sick story-book type of talk that the mere repetition has made it seem real to those imvolved in the talk or subject to it. I do not think there is any basis for believing that any investigation will be able to conduct any real investigation of domestic political assassinations in the context of agency involvement. I do think that this will be bad, from a distraction to a whitewash, not because it is not possible that there were those within the agencies who could have been capable but because it is improbable that there can be any available proof and because it will build sympathy for those agencies while diluting the investigations that can be productive and do serve a national need and can help clean them up and get them back into their proper roles.

The approach itself is a bummer and a looser in the absence of some tangible basis for it. It makes me wonder about the purpose if not the maturity and sincerity of the Member who first thought of it and next xonsulted Bud of all people. That is Madison avenue, not political maturity or responsibility, with self-cast aspersions on judgement.

I tend to look for and take simple means of evaluating. With a Member there is always a staff. There is always the Library of Congress freely available. For this purpose, in fact. It would take no more than a single phone call to let any Member or staffer know what the literature shows. When I have no question asked of me I know there has not been the initial basic research. This makes me have many questions enough of which should be fairly obvious and are not falttering to the staffer.

Examine on the other hand why these would go to Bud for recom= mendations. Assume they know him. What kind of judgement does that alone represent? What kind of talk have you heard from him on political assassinations? At its best it is what sickened you recently, give him an hour with George deMohrenschildt and he'd break the case!

Anyone who knows him knows he has a law practise. This is enough to tell him Bud has done no real work. It then boils down to an evaluation of Bud's judgement. I know of nothing in his record to give him high points with any member who knew him. Bud was quite proud of his examination of Bobby. I can believe him when he says the other Members lacked the balls, as did Long, so he did it. Well, I agree that took some courage and not a little principle. So the one part of those hearings I read is what Bud represented as his tough grilling of Bobby. It is an incompetent job, a joke of an examination, and it had no worthwhile consequence.

He flunked.

In this area we have our own experiences. We know his record. I can't think of a single thing he has accomplished and I can recall a long string of totally unnecessary failures, the real reason he dislikes me coming from them and their advance visibility.

The fact is, if you will think of it, that he has been the biggest single impediment to my investigating in the Ray case. His judgement was not once right, he produced nothing, he asked me to do nothing that did produce anything or could have and he steadfastly opposed everything that could have been productive. Do I have to remind you about those picture s or of New Haven?

There are other areas that could be explored. I think that by this point there is no further need.

What basis is there for a House to investigate domestic assassinations as part of an investigation of the agencies? Only one rational one, how did they performe as investigators. This automatically eliminates all but the FBI and I can't imagine an investigation of the magnitude that would require if the Members went for it. That would have to be a separate investigation to be a serious one. The volume of paper alone leaves no real choice. Or the number of witnesses to be called and heard and prepared for. An enormous job if it is to be a serious one. If it is not to be serious, who wants to be part of it?

The only other basis is the crazy Gregorian chant, Hunt in Dealey Plaza. It it were true or even probable, disproving it is too simple because the necessary records are too easy to fake and there are many expert record-fakers available. Any competent photo analysis will be total disproof. Aside from this, the day of the assassination is one everyone recalls well. Hunt will have a number of credible witnesses.

I'm ignoring the reasons in logic for discounting it all.

There remains a possibly productive area, foreign assassinations. Here there many be many leads and many cases but again productivity will require confessions. One also can wok bakward from actual assassinations, but not with prospect of finding records. This could be really chal= lenging but I do not think there is much chance of a real investigation becuse of what it would do to all who could give the necessary evidence. There seems to be no immunity that can be granted because the Congress cannot immunize in foreign countries andhow could the U.S, refuse extradition? Who would want to live with the record of being an assassin, or have his family subject to scorn through all of history?

There remains also the strong probability that these were not actually done by the agencies or their employees. What is more likely is agent-arranged professionals or locals except in such cases as Castro, where it could well have been under official consideration. But I believe

it is not likely that the records of the 40 Committee will show any formal approval. The one case we know got to it was not acted upon to Hunt's knowledge and he is bitter about it. I doubt that ay member of such a committee, no mater how much he may have longed for such an assassination, would have voted for it with all those others to be around to bear future witness. I believe it much more likely that any consideration on this level and of this type would have resulted in a policy decision without implimentation directed and that with the understanding that the policy was considered worthwhile someobe might have seen to it that an effort was made, with or without success.

What ma terial is there here for investigation with tangible results?

I see poor prospects only.

Life and spooks just are not the way the nuts and the paranoids of varying degree talk and believe.

As Dean Andrews once said to a worried client in my presence, "They don't hit by Western Union."

None of this says don't take a job as an investigator. That is a separate matter, one that involves other factors and considerations. All I'm addressing is the specific job for which Bud has recommended you. In it I have several purposes. One is to give you a line for your own thinking. Another is to give you a basis for questioning the one who will interview you. Don't walk into something like this without knowing all you can before you decide. Don't walk into a loser and be the one on whom the loss can be pinned. Don't also be the one rational man in a side nuthouse of a worthwhile project.

I have addressed only this one aspect. If the time comes when you want to discuss whether or not to become an investigator who would work on other parts of the investigation I think I might give you some questions you might not ask yourself.

Now that you have this kind of decision, once you make it I think you could profit from some retrospection.

I think there are decisions you do not make that you should, as a generality.

I think there are cases you could have brought to a conclusion by now, others that you could have close, and that they could have yielded payment.

I think you could not have been practising some of the law you could have practised.

You alone can evaluate what you did instead. I think you should.

If you then decide that you did not take the correct course you may be in a position to make a conscious decision in the future if you think you failed to decide or to make another decision if you made a conscious one that in retrospect seems not to have been the best.

It is now time to wake Jil and I have a few packages to make so I can mail them when I take her in town. I'll not have time to correct this and I think I should mail it promptly.

I would add another factor for you to weigh, your alternatives. What are the prospects if you concentrate on cases you can now handle? What can they yield in income and in what I think is important for a lawyer just starting to practise, in reputation, prestige and attention,

Another is can they establish you as an expert in a field in which you can have hope for further practise that can be worthwhile?

You do have more to evaluate than you discussed so briefly yesterday.